

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

GERALD STONE,	)	
Plaintiff,	)	
vs.	)	No. 3:11-CV-2263-B-BK
	)	
INTERNAL REVENUE SERVICE,	)	
Defendant.	)	


ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

Defendant's *Motion to Dismiss* Plaintiff's claim under the Declaratory Judgment Act is **GRANTED**, and that claim is **DISMISSED WITH PREJUDICE**. Defendant has 14 days from the date of this order to respond to Plaintiff's remaining claims.

SO ORDERED.

SIGNED this 3rd day of February, 2012

  
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JANE J. BOYLE  
UNITED STATES DISTRICT JUDGE